



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

HAYWOOD et al

Atty. Ref.: **3997-6**

Serial No. **10/808,506**

TC/A.U.: **3729**

Filed: **March 25, 2004**

Examiner: **Afzali**

For: **METHODS OF MAKING UPHOLSTERY FABRIC TACK STRIPS**

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

Your petitioners, David L. Haygood and Gary T. Schwertner, individuals residing in Florence, Alabama and St. Joseph, Tennessee, respectively, represents that they are the owners of all right, title and interest in and to Application Serial No. 10/808,506, filed March 25, 2004, for METHODS OF MAKING UPHOLSTERY FABRIC TACK STRIPS ("the above-identified application") and owners of U.S. Patent No. 6,857,178 issued on February 25, 2005 for METHODS OF MAKING UPHOLSTERY FABRIC TACK STRIPS ("the '178 patent")

Your petitioners hereby disclaim the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of the '178 patent and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to such patent granted on the above-identified application shall be the same as the legal title to the '178 patent, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioners do not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of the '178 patent in the event that it later: expires for failure to pay a

maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The evidentiary documents accompanying this document or referred to above have been reviewed by the undersigned and it is certified that to the best of the petitioner's knowledge and belief, title is in the petitioners seeking to take action.

The undersigned is an attorney or agent of record.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

By:



Bryan H. Davidson

Attorney of Record, Reg. No. 30251

Date:

9-8-06

☒ **Terminal disclaimer fee under 37 C.F.R. § 1.20(d) included.** If missing, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.